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EXAMINER	
SAINT CYR, JEAN D	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/542,963	LECOMTE ET AL.	
	Examiner	Art Unit	
	JEAN D. SAINT CYR	2425	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 March 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *47-49 and 51-92* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *47-49 and 51-92* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *07 September 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Miscellaneous

In response to Notice of Appeal filed on 03/09/2009, the finality of the last office action is withdrawn and an office action on new ground of rejection follows.

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 41, 48, 91, 92 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 2, 20 and 21 of copending Application No. 10/11091217. Although the conflicting claims are not identical, they are not patentably distinct from each other because claims 47, 48, 91 and

92 are obvious variants and encompassed by claims 1, 2, 20 and 21 of the application' 217'.For example, the applicant only changed "a digital profile of the recipient" from the co-pending application and replaced it by "a digital profile of an addressee user" in the current application.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 47-49, 57, 62-64, 70-75, 78, 91-92 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shin et al in view of Sasaki et al, US No.6735699 .

Re claim 47, Shin et al disclose a process for secured distribution of digital fixed pictures in an original stream comprising sequences of data each containing a part of information of the picture(see fig.2,host image to be transmitted), the original stream being in a nominal compressed format based on wavelets and comprising wavelet coefficients(see fig.2, element 202), the process comprising:

modifying the original stream by modifying the wavelet coefficients to produce a stream modified in the same nominal format as the original stream(see fig.2, replaced MXM wavelet coefficient); and

transmitting the modified stream(see fig.2, transmission channel); and

constructing a reconstructed stream from the modified stream with a decoder in addressee equipment((see fig.2, restored host image; the compressed bitstreams output from the encoding unit 20 and transmitted via the transmission channel are decoded by the decoding unit 22 as follows, col.6, lines 4-9).

But did explicitly disclose wherein the construction is adaptive and progressive as a function of information coming from a digital profile of an addressee user.

However, Sasaki et al disclose wherein the construction is adaptive and progressive as a function of information coming from a digital profile of an addressee user(a digital work with a license issued for a specific user cannot be reproduced in a reproducing unit of a user other than the specific user,col.12, lines 5-7).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to modify the invention of Shin by associating specific regarding a user with content, as taught by Sasaki, for the purpose of increasing security in reproducing content.

Re claim 48, Shin et al did not explicitly disclose wherein modification produces a modified main stream and complementary information permitting reconstruction of the original stream by a decoder, and transmitting the modified stream also comprises transmitting to the addressee equipment a subset of the complementary information, which subset is determined as a function of information coming from a digital profile of the addressee.

However, Sasaki et al disclose wherein modification produces a modified main stream and complementary information permitting reconstruction of the original stream by a decoder, and transmitting the modified stream also comprises transmitting to the addressee equipment a subset of the complementary information, which subset is

determined as a function of information coming from a digital profile of the addressee (accounting information of each user, col.6, lines 59-63).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to modify the invention of Shin by creating an account for each a user, as taught by Sasaki, for the purpose of allowing only registered user to get access to contents.

Re claim 49, Shin et al did not explicitly disclose wherein modification produces modified main stream and complementary information permitting reconstruction of the original stream by a decoder, and transmitting the modified stream also comprises transmitting to the addressee equipment a subset of the complementary information, which subset is determined as a function of information coming from a hardware profile of the addressee.

However, Sasaki et al disclose wherein modification produces modified main stream and complementary information permitting reconstruction of the original stream by a decoder, and transmitting the modified stream also comprises transmitting to the addressee equipment a subset of the complementary information, which subset is determined as a function of information coming from a hardware profile of the addressee(an identification code of a user device, col.2, lines 50-51).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to modify the invention of Shin in associating an identification code of a user device with a content, as taught by Sasaki, for the purpose of increasing security in reproducing content by allowing only registered user device to get access to contents.

Re claim 57, Shin et al did not explicitly disclose wherein the modified main stream and the complementary information are transmitted together in real time.

However, Sasaki et al disclose wherein the modified main stream and the complementary information are transmitted together in real time(receiving an application of permission for a use of the digital work, together with the identification code of the digital work used by a user and an identification code of a user device, col.2, lines 48-51).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to modify the invention of Shin in transmitting the digital work and the identification code of the user, as taught by Sasaki, for the purpose of increasing security in reproduction.

Re claim 62, Shin et al disclose wherein the complementary information comprises at least one digital routine suitable for executing a function(digital image coding and decoding methods disclosed herein can be embodied in and performed using a computer program,col.6, lines 64-66).

Re claim 63, Shin et al did not explicitly disclose wherein functions transmitted to addressees are personalized for each addressee as a function of a session.

However, Sasaki et al disclose wherein functions transmitted to addressees are personalized for each addressee as a function of a session (see fig.4, where the CD recorder can be used only by user A).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to modify the invention of Shin in storing function in CD that be retrieved by specific user, as taught by Sasaki, for the purpose of allowing user to receive specific data.

Re claim 64, is met as previously discussed with respect to claim 63.

Re claim 70, Shin et al did not explicitly disclose wherein information contained in the subset is updated as a function of behavior of the addressee during connection to a server or as a function of habits or as a function of data communicated by a third party.

However, Sasaki et al disclose wherein information contained in the subset is updated as a function of behavior of the addressee during connection to a server or as a function of habits or as a function of data communicated by a third party (to add a license to the digital work, a license issued at every change of a user device can be readably added or written side by side. A renewal of a license, however, is preferable by replacing an old license with a new one in order to prevent a degradation of a quality of the work, col.2, lines 66-67; col.3, lines 1-4).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to modify the invention of Shin in updating any data, as taught by Sasaki, for the purpose of keep track of all modification of data.

Re claim 71, is met as previously discussed with respect to claim 70.

Re claim 72, Shin et al disclose further comprising analog/digital converting data in a structured format, which is applied to an analog signal (see fig.2, compression of image).

Re claim 73, Shin et al disclose further comprising transcoding a digital stream from any format to a format with scalability properties (see fig.2, wavelet coefficients).

Re claim 74, Shin et al disclose wherein fixed pictures constitute a succession of pictures fixed in time (see fig.2, element 204; a dot-type image at regular interval, col.5, lines 30-32).

Re claim 75, Shin et al disclose wherein modification of the data sequences is different for at least two pictures of a succession of pictures (50% of upper significant wavelet coefficients are selected among M.times.M wavelet coefficients, and N.times.N wavelet coefficients are selected among 50% of upper significant wavelet coefficients, in accordance with the predetermined rule, for example, at regular intervals, col.5, lines 48-53; that means the coefficients will 1, .5, .25 and so on).

Re claim 78, Shin et al disclose which is performed without loss of picture quality (see fig.2, restore host image).

Re claim 91, Shin et al did not explicitly disclose system for secured distribution of fixed digital pictures comprising a server comprising means for broadcasting a modified stream according to claim 47, and a plurality of devices provided with a descrambling circuit, wherein the server also comprises means for recording a digital profile of each addressee and means for analyzing the profile of each of the addressees of a modified stream, which means controls the nature of complementary information transmitted to each of the addressees.

However, Sasaki et al disclose system for secured distribution of fixed digital pictures comprising a server comprising means for broadcasting a modified stream according to claim 47, and a plurality of devices provided with a descrambling circuit, wherein the server also comprises means for recording a digital profile of each addressee and means for analyzing the profile of each of the addressees of a modified stream, which means controls the nature of complementary information transmitted to each of the addressees(see col.2, lines 48-51).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to modify the invention of Shin in view of Stone in introducing

specific information regarding a user, as taught by Sasaki, for the purpose of allowing only authorized users to get access to contents.

Re claim 92, Shin et al did not explicitly disclose wherein a level, quality, quantity, type of the complementary information is determined for each addressee as a function of the state of a profile at a moment of viewing a main stream.

However, Sasaki et al disclose wherein a level, quality, quantity, type of the complementary information is determined for each addressee as a function of the state of a profile at a moment of viewing a main stream (a renewal of a license, however, is preferable by replacing an old license with a new one in order to prevent a degradation of a quality of the work, an image quality or a sound quality, col.3, lines 1-4)..

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to modify the invention of Shin in view of Stone in introducing a level, quality, quantity, type of the complementary information specific information regarding a user, as taught by Sasaki, for the purpose of condition of reception of the user.

Claims 51-54, 58-61, 76-77 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shin et al in view of Sasaki et al and further in view of Zhang, US No.7321625 .

Re claim 51, Shin et al did not explicitly disclose wherein the original stream has a property of scalability in resolution.

However, Zhang et al disclose wherein the original stream has a property of scalability in resolution(Spatial scalability in a wavelet image coder can be provided by the multiresolution generated by a wavelet transform,col.6, lines 50-52).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to modify the invention of Shin in view of Sasaki in introducing property of scalability in resolution, as taught by Zhang, for the purpose of transforming the original image in different resolution.

Re claim 52, Shin et al did not explicitly disclose wherein the original stream has a property of spatial scalability.

However, Zhang et al disclose wherein the original stream has a property of spatial scalability(spatial wavelet transform are disclosed, abstract).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to modify the invention of Shin in view of Sasaki in introducing has a property of spatial scalability, as taught by Zhang, for the purpose of filtering the transformation of the original image.

Re claim 53, Shin et al did not explicitly disclose wherein the original stream has a property of qualitative scalability.

However, Zhang et al disclose wherein the original stream has a property of qualitative scalability(subband MCTF coders can easily support quality scalability by using bitplane coding,col.16, lines 17-18).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to modify the invention of Shin in view of Sasaki in introducing a property of qualitative scalability, as taught by Zhang, for the purpose of limiting degradation in the transformation of the original image.

Re claim 54, Shin et al did not explicitly disclose wherein the original stream has a property of spectral scalability.

However, Zhang et al disclose wherein the original stream has a property of spectral scalability(see fig.5 the frequency division resulting from two types of transform)

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to modify the invention of Shin in view of Sasaki in introducing a property of spectral scalability, as taught by Zhang, for the purpose of using frequency domain for analyzing the transformation of the original image.

Re claim 58, see rejection on claim 51.

Re claim 59, Shin et al did not explicitly disclose wherein determination of the subset of the complementary information is based on properties of granular scalability of the complementary information.

However, Zhang et al disclose wherein determination of the subset of the complementary information is based on properties of granular scalability of the complementary information (fine granularity scalability can also be achieved by incorporating bit-plane coding techniques,col.16, lines 52-53).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to modify the invention of Shin in view of Sasaki in introducing a property of granular scalability, as taught by Zhang, for the purpose of achieving a constant quality in frame level and in GOF level.

Re claim 60, Shin et al did not explicitly disclose wherein the quantity of information contained in the subset corresponds to a level of scalability determined as a function of a profile of the addressee.

However, Zhang et al disclose wherein the quantity of information contained in the subset corresponds to a level of scalability determined as a function of a profile of the addressee(Multiresolution video representation information may be provided by control information received from the video source, or by control information received over the channel 1406 from the video decoder,col.3, lines 42-46).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to modify the invention of Shin in view of Sasaki in transmitting multi-resolution video according to information received from user device, as taught by Zhang, for the purpose of allowing user to receive content according to the resolution of their device.

Re claim 61, is met as previously discussed with respect to claim 60.
Re claim 76, Shin et al did not explicitly disclose wherein modification of data sequences of a picture of a succession of pictures includes modification of the data sequences of preceding pictures in temporal order of the succession based on properties of spatial and qualitative scalability of transformations in wavelets.

However, Zhang et al disclose wherein modification of data sequences of a picture of a succession of pictures includes modification of the data sequences of preceding pictures in temporal order(temporal direction,col.2, line 19) of the succession based on properties of spatial and qualitative scalability of transformations in wavelets(video representation of support of scalable motion vectors for different combinations of spatial scalability and temporal scalability,col.2, lines 27-29; easily support quality scalability by using bitplane coding, col.16, lines 17-18).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to modify the invention of Shin in introducing temporal order and properties of spatial and qualitative scalability, as taught by Zhang, for the purpose limiting deterioration in transformation of data.

Re claim 77, Shin et al did not explicitly disclose wherein granular scalability of the complementary information is based on qualitative, spatial and in-resolution scalabilities of streams stemming from a transformation in wavelets of the pictures.

However, Zhang et al disclose wherein granular scalability of the complementary information is based on qualitative, spatial(col.2, lines 27-29; easily support quality scalability by using bitplane coding, col.16, lines 17-18) and in-resolution scalabilities of streams stemming from a transformation in wavelets of the pictures(fine granularity scalability can also be achieved by incorporating bit-plane coding techniques,col.6, lines 50-53).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to modify the invention of Shin in introducing temporal order and properties of spatial and qualitative scalability, as taught by Zhang, for the purpose limiting deterioration in transformation of data.

Claims 55-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shin et al in view of Sasaki et al and further in view of Kim, US No.20020133830 .

Re claim 55, Shin et al did not explicitly disclose wherein the modified main stream is available on the addressee equipment prior to transmitting the complementary information to the addressee equipment.

However, Kim et al disclose wherein the modified main stream is available on the addressee equipment prior to transmitting the complementary information to the addressee equipment(the system, either in whole or in parts, preloads a selection of videos on a subscriber's set top box (STB) based on a usage profile,0030).

It would have been obvious for any person of ordinary skill in the art at that the invention was made to modify the system of Shin in view of Sasaki in prestoring the modified data at the user's location, as taught by Kim, for the purpose of limiting congestion of bandwidth during transmission and increasing security in reproducing contents.

Re claim 56, Shin et al did not explicitly disclose wherein part of the modified main stream is available on the addressee equipment prior to transmitting the complementary information to the addressee equipment.

However, Kim et al disclose wherein part of the modified main stream is available on the addressee equipment prior to transmitting the complementary information to the addressee equipment (It is also possible to preload ,push to the STB 140 several minutes of the first chapter of each video,0131).

It would have been obvious for any person of ordinary skill in the art at that the invention was made to modify the system of Shin in view of Sasaki in prestoring part of the modified data at the user's location, as taught by Kim, for the purpose of limiting congestion of bandwidth during transmission and shortage of storage.

Claims 65-69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shin et al in view of Sasaki et al and further in view of Kamiya, US No.7421082 .

Re claim 65, Shin et al and Sasaki did not explicitly disclose wherein the complementary information is subdivided into at least two subparts.

However, Kamiya et al disclose wherein the complementary information is subdivided into at least two subparts(see fig.1; plurality of pieces of key information are generated on the basis of an encryption key specific to each digital data item to be delivered, abstract) .

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to modify the invention of Shin in view of Sasaki in introducing plurality of pieces of key information, as taught by Kamiya, for the purpose of making the system safer against unauthorized users.

Re claim 66, Shin et al did not explicitly disclose wherein the subparts are distributed by different media.

However, Kamiya et al disclose wherein the subparts are distributed by different media (see fig.1, elements 4 and 5).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to modify the invention of Shin in view of Sasaki in introducing transmitting plurality of pieces of key information in different media, as taught by Kamiya, for the purpose of making the system safer against unauthorized users.

Re claim 67, Shin et al did not explicitly disclose wherein the subparts are distributed by the same medium.

However, Kamiya et al disclose wherein the subparts are distributed by the same medium (see fig.8; key information is delivered over a network, that network can be physically the same as that for content transmission. In that case, however, content and key information are not delivered simultaneously; preferably they are transmitted at different times, col.4, lines 18-22).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to modify the invention of Shin in view of Sasaki in transmitting subparts by the same medium, as taught by Kamiya, for the purpose of limiting delay in reproducing the content.

Re claim 68, Shin et al did not explicitly disclose wherein all or part of the complementary information is transmitted on a physical vector.

However, Kamiya et al disclose wherein all or part of the complementary information is transmitted on a physical vector(Multipoint delivery may be implemented either electronically over networks, such as the internet or broadcasting or communication channels, or physically through the use of storage media,col.2, lines 64-67).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to modify the invention of Shin in view of Sasaki in transmitting all or part of the complementary information on a physical vector, as taught by Kamiya, for the purpose of allowing the system to tune to a specific channel to receive key.

Re claim 69, Shin et al did not explicitly disclose wherein the complementary information is transmitted on-line .

However, Kamiya et al disclose wherein the complementary information is transmitted on-line (see fig.8, internet).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to modify the invention of Shin in view of Sasaki in transmitting all or part of the complementary information online, as taught by Kamiya, for the purpose of allowing the system to use IP address to send data to users.

Claims 79-90 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shin et al in view of Sasaki et al and further in view of Stone, US No.20020118859 .

Re claim 79, Shin et al did not explicitly disclose wherein, during reconstruction of the original stream, an indelible and imperceptible trace is inserted into the original stream which trace carries a non-ambiguous identifier.

However, Stone et al disclose wherein, during reconstruction of the original stream, an indelible and imperceptible trace is inserted into the original stream which trace carries a non-ambiguous identifier (ensure that the mark is imperceptible where an imperceptible mark is desired. Those properties may be incompatible. Also, when material has been watermarked, it is desirable to be able to remove the mark. However, embedding a watermark in the material in such a way as to make difficult unauthorized removal may also have the consequence that the watermark is difficult to remove by an authorized person, 0010).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to modify the invention of Shin in view of Sasaki in introducing imperceptible trace during reconstruction, as taught by Stone, for the purpose of increasing security against unauthorized users.

Re claim 80, Shin et al did not explicitly disclose further comprising inserting an indelible and imperceptible trace into the picture after reconstruction and decoding of the original stream, which trace carries a non-ambiguous identifier.

However, stone et al disclose further comprising inserting an indelible and imperceptible trace into the picture after reconstruction and decoding of the original stream, which trace carries a non-ambiguous identifier(Robust watermarks are useful to trace the provenance of material which is processed in some way either in an attempt to remove the mark,0008).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to modify the invention of Shin in view of Sasaki in introducing

imperceptible trace after reconstruction, as taught by Stone, for the purpose of identify the owner of the material.

Re claim 81, Shin et al did not explicitly disclose wherein the indelible and imperceptible trace can be detected by software that analyzes reconstituted content.

However, Stone et al disclose wherein the indelible and imperceptible trace can be detected by a software that analyzes reconstituted content (detects and removes the watermark to produce a substantially restored image, 0163).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to modify the invention of Shin in view of Sasaki in introducing software for analyzing content, as taught by Stone, for the purpose of limiting degradation of image during reconstruction.

Re claim 82, Shin et al did not explicitly disclose wherein the non-ambiguous identifier authenticates a user.

However, Stone et al disclose wherein the non-ambiguous identifier authenticates a user (Robust watermarks are useful to trace the provenance of material which is processed in some way either in an attempt to remove the mark or to effect legitimate processing, 0008).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to modify the invention of Shin in view of Sasaki in introducing non-ambiguous identifier, as taught by Stone, for the purpose of limiting access to unauthorized users.

Re claim 83, Shin et al did not explicitly disclose wherein the non-ambiguous identifier authenticates equipment on which a reconstruction algorithm of the original stream was executed.

However, Stone et al disclose wherein the non-ambiguous identifier authenticates equipment on which a reconstruction algorithm of the original stream was executed (user code, 0232).
It would have been obvious for any person of ordinary skill in the art at that time the invention was made to modify the invention of Shin in view of Sasaki in introducing non-ambiguous identifier, as taught by Stone, for the purpose of authenticating equipment with respect to user code.

Re claim 84, Shin et al did not explicitly disclose wherein the non-ambiguous identifier identifies a session opened by a user during the course of which reconstitution of the original stream is executed.

However, Stone et al disclose wherein the non-ambiguous identifier identifies a session opened by a user during the course of which reconstitution of the original stream is executed(An Instance number is primarily used to identify associated metadata related to any particular instance of a clip,0212).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to modify the invention of Shin in view of Sasaki in introducing non-ambiguous identifier, as taught by Stone, for the purpose of identifying a particular clip.

Re claim 85, Shin et al did not explicitly disclose wherein a scrambling session and descrambling session are realized under control of a secured server disguised as a selected third party.

However, Sasaki et al disclose wherein a scrambling session and descrambling session are realized under control of a secured server disguised as a selected third party(see fig.4; rights information management database)

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to modify the invention of Shin in view of Stone in introducing a secured server, as taught by Sasaki, for the purpose of protecting work of proprietor.

Re claim 86, Shin et al did not explicitly disclose wherein the session is identified by a secured server with a register comprising for each session information about session number, identifier of a user or identifier of user equipment, and identifier of content constituting subject matter of the session and a date-time group.

However, Sasaki et al disclose wherein the session is identified by a secured server with a register comprising for each session information about session number, identifier of a user or identifier of user equipment, and identifier of content constituting subject matter of the session and a date-time group(col.2, lines 48-51).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to modify the invention of Shin in view of Stone in introducing identifier of a user or identifier of user equipment, as taught by Sasaki, for the purpose of increasing security against unauthorized users.

Re claim 87, is met as previously discussed with respect to claims 80 and 85.

Re claim 88, is as previously discussed with respect to claim 79.

Re claim 89, Shin et al did not explicitly disclose wherein a stream reconstituted by descrambling exists in a usable form only if a digital signature extracted during an

authenticity control is identical to a signature stored on a secured server disguised as a selected third party.

However, Sasaki et al disclose wherein a stream reconstituted by descrambling exists in a usable form only if a digital signature extracted during an authenticity control is identical to a signature stored on a secured server disguised as a selected third party (see fig.4).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to modify the invention of Shin in view of Stone in introducing an authenticity control, as taught by Sasaki, for the purpose of increasing security against unauthorized users.

Re claim 90, Shin et al did not explicitly disclose applied to an audiovisual digital stream stemming from a proprietary norm or standard.

However, Sasaki et al disclose applied to an audiovisual digital stream stemming from a proprietary norm or standard (see fig.4, element 112).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to modify the invention of Shin in view of Stone in introducing applied to an audiovisual digital stream stemming from a proprietary norm or standard ,as taught by Sasaki, for the purpose of protecting right of owners.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean Duclos Saintcyr whose phone number is 571-270-3224. The examiner can normally reach on M-F 7:30-5:00 PM EST.If attempts to reach the examiner by telephone are not successful, his supervisor, Brian Pendleton, can be reach on 571-272-7527. The fax number for the organization where the application or

proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see htpp://pair-direct.uspto.gov. Should you have questions on access to the private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197(toll free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, dial 800-786-9199(IN USA OR CANADA) or 571-272-1000.

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